



Doc Code:

PTO/SB/21 (09-06)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/797,439	
	Filing Date	March 9, 2004	
	First Named Inventor	Gary Weller	
	Art Unit	3731	
	Examiner Name	Unassigned	
Total Number of Pages in This Submission	5+	Attorney Docket Number	SATTY-69244

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of cited article Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Fulwider Patton LLP		
Signature			
Printed name	Douglas R. Peterson		
Date	3/21/07	Reg. No.	53,458

CERTIFICATE OF TRANSMISSION/MAILING

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Signature			
Typed or printed name	Douglas R. Peterson	Date	3/21/07

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IFW

Doc Code: MAR 26 2007

PTO/SB/17 (07-06)

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL
for FY 2006**☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$0.00

Complete if Known

Application Number	10/797,439
Filing Date	March 9, 2004
First Named Inventor	Gary Weller
Examiner Name	Unassigned
Art Unit	3731
Attorney Docket No.	SATTY-69244

METHOD OF PAYMENT (check all that apply)
☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☐ Deposit Deposit Account Number: 06-2425 Deposit Account Name: Fulwider Patton LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or any underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

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FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid(\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	\$25.00	= \$0.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	\$100.00	= \$0.00

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listing under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	0	0	x \$125.00	= \$0.00

4. OTHER FEE(S)

Non-English specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge):

SUBMITTED BY

Signature	<i>Douglas R. Peterson</i>	Registration No. (Attorney/Agent)	53,458	Telephone	310-824-5555
Name (Print/Type)	Douglas R. Peterson			Date	3/21/07

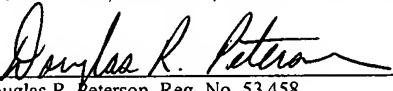
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Douglas R. Peterson, Reg. No. 53,458

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/797,439
Applicant : Gary Weller, Alex T. Roth, Christopher Julian, Jamy Gannoe, Andrew H. Hancock, Craig Gerbi
Filed : March 9, 2004
Art Unit : 3731
Examiner : Unassigned
Title : DEVICES AND METHODS FOR PLACEMENT OF PARTITIONS WITHIN A HOLLOW BODY ORGAN
Confirmation No. : 4484
Docket No.: : SATTY 69244
Customer No. : 24201

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

Dear Sir:

The documents listed on the enclosed Form PTO/SB/08a have come to the attention of Applicants and are submitted to the Office under 37 C.F.R. § 1.97(b). Copies of the cited references are not enclosed, although applicant will produce them upon examiner's request.

This statement is not a representation that all of the information cited is necessarily effective as prior art against the present application or that a prior art search was performed.

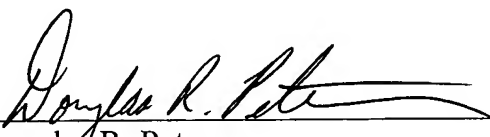
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Because this Information Disclosure Statement is filed prior to the mailing of a first Office action on the merits, no fee is required. The Commissioner is authorized, however, to charge any fees that may be required by this paper to Deposit Account No. 06-2425. A duplicate copy of this paper is enclosed.

Applicant respectfully requests that the foregoing citations be considered and made of record. It is respectfully requested that the examiner indicate consideration of the cited references by returning a copy of the attached form PTO/SB/08a with initials and/or other appropriate marks.

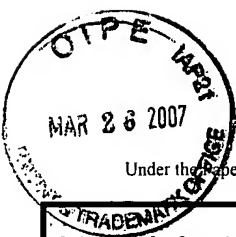
Respectfully submitted,

FULWIDER PATTON LLP

By: 
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160959.1



Substitute for form 1449A/PTO				Complete if Known				
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	10/797,439			
				Filing Date	March 9, 2004			
				First Named Inventor	Gary Weller			
				Art Unit	3731			
				Examiner Name	Unassigned			
Sheet	1	of	3	Attorney Docket Number	SATTY-69244			
U.S. PATENT DOCUMENTS								
Examiner Initials*	Cite No ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
		Number	Kind Code ² (if known)					
		3,372,443		02-16-1967	D. J. Daddona Jr.			
		4,063,561		12-20-1977	McKenna			
		4,258,705		03-31-1981	Sorensen et al.			
		4,311,146		01-19-1982	Wonder			
		4,636,205		01-13-1987	Steer			
		4,643,169		02-17-1987	Koss et al.			
		4,671,287		06-09-1987	Fiddian-Green			
		4,795,430		02-03-1989	Quinn et al.			
		5,146,933		09-15-1992	Boyd			
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		5,284,128		02-08-1994	Hart			
		5,403,312		04-04-1995	Yates et al.			
		5,462,559		10/31/1995	Ahmed			
		5,904,147		05-18-1999	Conlan et al.			
		6,293,923 B1		09-25-2001	Yachia et al.			
		6,352,543 B1		03-05-2002	Cole			
		6,579,301 B1		06-17-2003	Bales et al.			
		6,605,037 B1		08-12-2003	Moll et al.			
		6,656,194 B1		12-02-2003	Gannoe et al.			
		6,746,460 B2		06-08-2004	Gannoe et al.			
		6,830,546 B1		12-14-2004	Chin et al.			
		6,916,332 B2		07-12-2005	Adams			
		6,994,715 B2		02-07-2006	Gannoe et al.			
		7,033,373 B2		04-25-2006	de al Torre et al.			
		7,033,384 B2		04-25-2006	Gannoe et al.			
		7,083,629 B2		08-01-2006	Weller et al.			
		7,097,650 B2		08-29-2006	Weller et al.			
FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind ⁵ (if known)				
Examiner Signature						Date Considered		

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known			
		Application Number	10/797,439		
		Filing Date	March 9, 2004		
		First Named Inventor	Gary Weller		
		Group Art Unit	3731		
		Examiner Name	Unassigned		
Sheet	3	of	3	Attorney Docket Number	SATTY-69244
OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No ¹ .	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²
		Gukovsky-Reicher, S., M.D. et al., <i>Expandable Metal Esophageal Stents: Efficacy and Safety. Review of Current Literature Data and of 53 Stents Placed at Harbor-UCLA Medical Center</i> , www.medscape.com/viewarticle/423508_print pages 1-20, Medscape General Medicine 4(1), 2003 ©2002 Medscape, downloaded October 9, 2006			
Examiner Signature				Date Considered	

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